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W.P.Nos.11335 of 2014 and 20332 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.08.2024

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.11335 of 2014 and 20332 of 2013

And

W.M.P.Nos.1885 and 1887 of 2022 and

M.P.Nos.1 of 2014 and 1 of 2013

M.Ramasamy

... Petitioner in both the W.Ps.

Vs.

1.The Commissioner,
Hindu Religious and Charitable Endowment
Administrative Department,
Chennai – 600 034.

2.The Joint Commissioner,
Hindu Religious and Charitable Endowment
Administrative Department,
Salem – 1.

3.The Assistant Commissioner/
Executive Officer,
Arulmigu Narasimha Thirukovil,
Namakkal Taluk and District.

... Respondents in both the W.Ps.

Prayer in W.P.No.11335 of 2014:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records relating to the order dated 04.04.2014 in Na.Ka.No.2889/2014 A2 of the second respondent and quash the same.



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Prayer in W.P.No.20332 of 2013:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records relating to the order dated 22.03.2013 in R.P.No.42/2012 D2 of the first respondent and the order dated 02.05.2013 in Proc.Na.Ka.No.6382/2012/A2 of the second respondent and quash the same and consequently direct the respondents 1 and 2 herein to permit the petitioner to proceed with the construction of Raja Gopuram and renovation work of Arulmigu Soleeswarar, Alagaraya Perumal Temple and Sellandiamman Temple, Mallasamudram, Tiruchengodu Taluk, Namakkal District without any Special Officer.

For Petitioner : M/s.A.L.Gandhimathi
Senior Counsel
for M/s.C.T.Murugappan
in both W.Ps.

For Respondents : Mr.NRR.Arun Natarajan for R1 and R2
Special Government Pleader
in both W.Ps.
Mr.R.Bharanidaran for R3
in W.P.11335 of 2014

COMMON ORDER

The petitioner has filed W.P.No.11335 of 2014 seeking issuance of Writ of Certiorari calling for the records relating to the order dated 04.04.2014 in Na.Ka.No.2889/2014 A2 of the second respondent and quash the same.



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2.The petitioner has filed W.P.No.20332 of 2013 seeking issuance of Writ of Certiorarified Mandamus calling for the records relating to the order dated 22.03.2013 in R.P.No.42/2012 D2 of the first respondent and the order dated 02.05.2013 in Proc.Na.Ka. No.6382/ 2012/A2 of the second respondent and quash the same and consequently direct the respondents 1 and 2 to permit the petitioner to proceed with the construction of Raja Gopuram and renovation work of Arulmigu Soleeswarar, Alagaraya Perumal Temple and Sellandiamman Temple, Mallasamudram, Tiruchengodu Taluk, Namakkal District without any Special Officer.

3.Since the issue involved in these writ petitions are one and the same, they are heard together and disposed of by way of a common order.

4.The learned Senior Counsel appearing for the petitioner submitted that the petitioner is the non hereditary trustee of Arulmigu Soleeswarar, Alagaraya Perumal Temple and Sellandiamman Temple, Mallasamudram, Tiruchengodu Taluk, Namakkal District. For the above said Temples, non hereditary trustee was appointed as per the



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Scheme decree in O.A.No.101 of 1980 dated 02.04.1983 and thereafter three trustees passed away, however, the respondents passed order directing the petitioner to place hundials in the Temple and hand over the entire amount collected to the Executive Officer. During the pendency of the writ petition last hereditary trustee passed away and now there is only trustee incharge and further submitted that the relief sought for in these writ petitions became infructuous.

5.In view of the above, the writ petitions are dismissed as infructuous. No costs. Consequently, the connected miscellaneous petitions are closed.

27.08.2024

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Index: Yes/ No Speaking Order: Yes/ No NCC: Yes/ No

To

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